

REMARKS

Reconsideration of this application is respectfully requested.

Claims 16-27 are pending in this application.

In the Office Action, Claims 21-25 were rejected under 35 U.S.C. §102(e) as being anticipated by *John* (U.S. Patent No. 6,216,106), Claims 16-19 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over *John* in view of *Choksi et al.* (U.S. Patent No. 6,477,243), Claim 20 was rejected under 35 U.S.C. §103(a) as being unpatentable over *John* in view of *Choksi* and further in view of *DeGiorgio et al.* (U.S. Patent No. 3,866,206), and Claim 26 was rejected under 35 U.S.C. §103(a) as being unpatentable over *John* in view of *DeGiorgio*.

As indicated above, the Examiner is rejecting independent Claim 16 as being unpatentable over *John* in view of *Choksi*, and independent Claim 21 as being anticipated by *John*. With regard to independent Claim 16, the Examiner asserts that *John* teaches all the recitations of this claim, except for transmitting a confirmation message including a telephone number of a caller, which the Examiner asserts is taught in *Choksi*, and with regard to independent Claim 21, the Examiner asserts that *John* teaches all the recitations of this claim. However, it is respectfully submitted that the Examiner is incorrect.

With regard to independent Claims 16 and 21, as previously stated, these claims recite the steps of generating and transmitting, *by the called mobile station*, a confirmation message indicating the confirmation by the called party to the calling mobile station. Further, it is respectfully submitted that neither *John* nor any other secondary reference, either alone or in combination with each other, teach or suggest generating and transmitting, *by the called mobile station*, a confirmation message indicating the confirmation by the called party to the calling mobile station. That is, *John* teaches that the voice messaging system VMS1 in FIG. 1 plays a second voice message (see Column 4, lines 41-47). Further, the VMS1 is not included the mobile

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station, and therefore, fails to teach generating and transmitting, *by the called mobile station*, a confirmation message indicating the confirmation by the called party *to the calling mobile station*.

More specifically, the present invention discloses generating a confirmation message directly in a called mobile station at the same time of confirming the message by the called party. However, *John* teaches generating information indicating a status of a voice message in a voice message system, upon receiving a caller's request, not at the same time a message is confirmed by the called party. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting Claims 16 and 21, and it is respectfully submitted that independent Claims 16 and 21 are patentably distinct from the cited art as previously cited by the Examiner. Accordingly, it is respectfully requested that the rejections of independent Claims 16 and 21 be withdrawn.

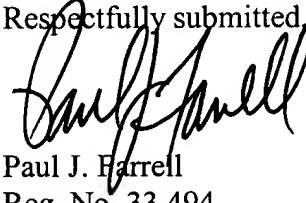
Based on the arguments presented above, it is respectfully submitted that independent Claims 16 and 21 are in condition for allowance. Without conceding the patentability per se of pending dependent Claims 17-20 and 22-27, they are likewise believed to be allowable by virtue of their dependence on independent Claims 16 and 21. Accordingly, reconsideration and withdrawal of the rejections of the dependent claims are respectfully requested.

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In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 16-27 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over the typed name.

Paul J. Farrell

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